

Notice of Allowability

Application No.

10/799,637

Examiner

LaTanya Bibbins

Applicant(s)

USUI, SYUNJI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-6 are allowed.

The following is an examiner's statement of reasons for allowance: None of the references of record, alone or in combination, suggest or fairly teach the limitations of independent claims 1, 3, and 5 in such a manner that a rejection under 35 U.S.C. 102 or 35 U.S.C. 103 would be proper. Although the prior art discloses a reproducing apparatus, operating apparatus for reproduction, and a reproducing method comprising a reading section, storing section, reproducing section, discal unit, operation discal unit, sensor section and control section as claimed, the prior art fails to disclose a a control section ***which controls said driving section to rotate said discal unit at a speed higher than said reference rotational speed for a predetermined period of time when it is determined that said operation discal unit starts rotating in said reference direction after pausing for at least a predetermined period of time.***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Relevant Prior Art

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kikuchi (US PGPub No. 2003/0165100 A1) teaches a reproducing apparatus (Figure 1) comprising a reading section which reads data recorded on a recording medium (the optical pickup in Figure 1, element 16); a storing section which stores the data read by said reading section (the RAM in Figure 1, element 41); a reproducing section which reads out and reproduces the data stored in said storing section (the D/A converter, decode circuit, and audio amplifier, Figure 1 elements 46, 34, and 48 respectively); a discal unit which is rotated by a driving section at a reference rotational speed and in a reference rotational direction (the turntable of Figure 1 element 54 and driving motor element 58); an operation discal unit which is mounted on said discal unit to be rotatable with said discal unit, and is configured in such a manner as being rotatable in a rotational direction and at a rotational speed as desired by a user, so that said reproducing section performs a desired data reproduction (the disk of Figure 1 element 62 and paragraph [0040]); a sensor section which outputs a pulse signal in accordance with the rotational direction and the rotational speed of said operation discal unit (the rotational speed comparing circuit and rotational direction detecting circuit Figure 1 element 68 and 66 respectively); and a control section (the CPU in Figure 1 element 42) which determines the rotational direction and rotational speed of said

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operation discal unit according to the pulse signal from said sensor section (paragraph [0055]).

Kikuchi, however, fails to teach that when the CPU determines that said operation discal unit starts rotating in said reference direction after pausing for at least a predetermined period of time, the CPU controls said driving section to rotate said discal unit at a speed higher than said reference rotational speed for a predetermined period of time. Instead, the control section, or CPU taught by Kikuchi, adjusts the rotational speed and the rotational direction of the spindle motor based on the output of the sensor (paragraph [0055]).

Shim et al. (US PGPub No. 2005/0052981 A1) also teaches a reproducing apparatus (Figure 1) comprising: a reading section which reads data recorded on a recording medium (see the build-in optical reader in Figure 1 element 19); a storing section which stores the data read by said reading section (see the discussion of the compact disc player, which is well known in the art, in paragraph [0043]); a reproducing section which reads out and reproduces the data stored in said storing section (see the discussion of the compact disc player, which is well known in the art, in paragraph [0043]); a discal unit which is rotated by a driving section at a reference rotational speed and in a reference rotational direction (see the turntable platter of Figure 1 element 14); an operation discal unit which is mounted on said discal unit to be rotatable with said discal unit, and is configured in such a manner as being rotatable in a rotational direction and at a rotational speed as desired by a user, so that said reproducing section performs a desired data reproduction (see the user control disc of Figure 1

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element 16 and the discussion in paragraph [0041]); a sensor section which outputs a pulse signal in accordance with the rotational direction and the rotational speed of said operation discal unit (see the optical sensors of Figure 13 elements 96 and 98 and the discussion in paragraph [0061]); and a control section (the microprocessor in Figure 16 element 100) which determines the rotational direction and rotational speed of said operation discal unit according to the pulse signal from said sensor section (see paragraphs [0066] and [0067]).

Shim, however fails to teach that when the microprocessor determines that said operation discal unit starts rotating in said reference direction after pausing for at least a predetermined period of time, the microprocessor controls said driving section to rotate said discal unit at a speed higher than said reference rotational speed for a predetermined period of time. Instead, the control section, or microprocessor taught by Shim, plays the audio signal slower, faster, forward or backward (see paragraphs [0066] and [0067]).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaTanya Bibbins whose telephone number is (571) 270-1125. The examiner can normally be reached on Monday through Friday 7:30 am - 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


LaTanya Bibbins
Patent Examiner


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER